



Dudeck 1-4-32-5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

Applicants(s): Dudeck et al.
Case: 1-4-32-5
Serial No.: 10/764,150
Filing Date: January 23, 2004
Group: 2827
Examiner: Tan Nguyen

I hereby certify that this paper is being deposited on this date with the U.S. Postal Service as first class mail addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Signature:  Date: April 10, 2006

Title: Method and Apparatus for Reducing Leakage Current in a Read Only Memory Device Using Shortened Precharge Phase

TRANSMITTAL LETTER

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is a Response to Restriction Requirement relating to the above-identified patent application. There is no additional claim fee due in connection with the Response.

In the event of non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit **IBM Corporation Deposit Account No. 50-0510** as required to correct the error. A duplicate copy of this letter is enclosed.

Respectfully submitted,



Date: April 10, 2006

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Signature: Gene M. Munn Date: April 10, 2006

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RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is responsive to the Examiner's March 21, 2006 Official Action.

The Examiner found that the claims of the instant application, which are directed to redirection of leakage current in memory devices, describe two distinct inventions. The Examiner therefore required that the application be restricted to one of the following inventions under 35 U.S.C. 121:

- I. Claims 1- 15 and 22-26, drawn to read only memory device (ROM) and a method of reducing the leakage current wherein a precharge phase of the ROM terminates independent of a clock edge, classified in class 365, subclass 203.
- II. Claims 16-21, drawn to read only memory device (ROM) and a method of reducing the leakage current wherein the ROM is not precharged during a standby phase, classified in class 365, subclass 229.

Applicants respectfully assert that the restriction requirement is improper and should be withdrawn, since each Group is redirection of leakage current in memory devices, and it is believed that a complete search for each Group would require a search of most, if not all, of the individual classes and subclasses.

The Examiner asserts that subcombination I has separate utility. While this may be true, Applicants assert that the claims of Groups I and II should be considered together. The Examiner has already indicated that Group II is allowable. In addition, the limitations added to claims 1, 6 and 11 by amendment are not of sufficiently different scope to warrant separate consideration.

Accordingly, Applicant submits that an examination of both Groups would not impose a serious burden on the Examiner. Where, as here, "the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions." MPEP §803.

Accordingly, it is respectfully requested that the restriction requirement be reconsidered and withdrawn and that all of the pending claims in the application be examined together in this application, or, alternatively, Applicant hereby elects Group II, claims 16-21, for prosecution in this application.

Respectfully submitted,



Date: April 10, 2006

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